

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

DAVID P. DONOVAN

Plaintiff,

v.

BETH A. WILKINSON

Defendant.

Civil Action No. 1:20-cv-1344

**PLAINTIFF’S MOTION TO SEAL ON AN INTERIM BASIS PLAINTIFF’S
CONFIDENTIAL REPLY TO DEFENDANT’S OPPOSITION TO PLAINTIFF’S
MOTION FOR LEAVE TO FILE UNDER SEAL AND TO SEAL CASE**

Pursuant to Local Civil Rule 5(C), Plaintiff David P. Donovan (“Plaintiff”) respectfully requests that this Court seal, on an interim basis, Plaintiff’s Confidential Reply to Defendant’s Opposition to Plaintiff’s Motion for Leave to File Under Seal and to Seal Case (the “Reply Brief”).

Plaintiff filed the Reply Brief, under seal, on November 17, 2020, in reliance on this Court’s November 10, 2020 Order which initially granted Plaintiff’s Motion to File Under Seal and to Seal Case (the “Motion to Seal”), and directed that all current and future pleadings in the case be sealed. At almost the same time that Plaintiff filed the Reply Brief, this Court entered its November 17, 2020 Order by which it denied the Motion to Seal to the extent it requested that the case be sealed in its entirety. However, the Court provided in the November 17, 2020 Order that “. . . the existing pleadings and transcripts which currently remain sealed pursuant to Local Rule 5(C) shall remain sealed pending the Magistrate Judge’s decision as to any particular pleading or transcript or portion thereof . . .”. November 17, 2020 Order at 4.

Because the Reply Brief was not docketed at the time that this Court entered its

November 17, 2020 Order, the Reply Brief is not subject to the Court's November 10, 2020 Order and is at risk of being docketed in its entirety although it contains an extensive amount of factual information that should be redacted and should not be publically release. The Reply Brief should be treated in the same manner as the other pleadings that were filed prior to the entry of the November 17, 2020 Order and to provide the Magistrate Judge an opportunity to review the requested redactions and to determine to what extent the pleadings should be released for public review.

Plaintiff respectfully requests that this Court docket the Reply under seal and enter an order sealing the Reply Brief until such time as the Magistrate Judge issues a decision on redactions, including as to the Reply, pursuant to the November 17, 2020 Order.

Respectfully submitted, this the 18th day of November, 2020,

/s/ Cathy A. Hinger

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CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of November, 2020, a true and correct copy of the foregoing *Plaintiff's Motion to Seal on an Interim Basis Plaintiff's Confidential Reply to Defendant's Opposition to Plaintiff's Motion for Leave to File Under Seal and to Seal Case* was filed with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

/s/ Cathy A. Hinger

Cathy A. Hinger, Esq.